

REMARKS

The Examiner has indicated the allowability of claims 4, 6-11, 13-15, and 18-26 if written in independent form. Applicant thanks the Examiner for his review of the claims and the indication of allowability.

Claims 1-3, 5, 12, 16 and 17 stand rejected under 35 USC §102(b) as being anticipated by Bishop (5,356,076). Applicant respectfully disagrees with the Examiner's analysis.

More particularly, claim 1 recites, *inter alia*, a “closing means, external to said housing and to said rotary valve, **that is pivotable about a member disposed external to said rotary valve in response to rotation of said rotary valve for closing the vent path in a second selective rotative position of the rotary valve wherein the carrier liquid inlet passage is out of communication with the discharge passage.** (emphasis added). Nowhere does the cited prior art teach or suggest such features.

Bishop discloses shower soap dispenser which employs a main rotary valve 2 with a rotatable valve element 15 (FIG. 4a) that is manually rotated between “soap”, “rinse”, and “off” positions. A soap adjust valve 3 and an air valve 4 are disposed opposite one another and lead to a mixing area 40 where soap (from the soap adjust valve 3) mixes with air (from the air valve 4). The soap/air mixture produced in mixing area 40 is carried by conduit 19 to the main rotary valve 2 where it is mixed with water for

discharge out the outlet conduit 17. The air valve 4 includes a threaded valve element 29 and ball 30 that cooperate to selectively adjust the restriction encountered by air which seeks to move under the urging of atmospheric pressure into the mixing area. Such adjustment is carried out by rotation of the threaded valve element 29, which advances the threaded valve element 29 into the cavity and urges the ball 30 to seat into an air supply passage 32 which passes through the valve element 29.

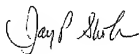
The Examiner equates the valve element 29 of Bishop to the closing means of the claim. However, the manual control of the air valve 4 of Bishop is accomplished by rotation of the threaded valve element 29 in a manner that is independent of the rotational movement of the rotatable valve element 15 between the “soap”, “rinse”, and “off” positions. Thus, the threaded valve element 29 is not “pivotable about a member disposed external to said rotary valve in response to rotation of said rotary valve” as specified in the claim. The threaded valve element 29 of Bishop also does not operate in response to the rotation of a rotary valve “for closing the vent path in a second selective rotative position of the rotary valve wherein the carrier liquid inlet passage is out of communication with the discharge passage” as specified in the claim. For these reasons, the means for closing the vent path in Bishop works in a completely different way and therefore neither anticipates nor suggests the “closing means” of amended claim 1. Similar arguments apply to independent claim 16.

The dependent claims 2, 3, 5, 12 and 17 are patentable over Bishop for those reasons advanced above with respect to independent claims 1 and 16 from which they

respectfully depend and for reciting additional features neither taught nor suggested by the cited prior art.

In light of all of the above, it is submitted that the claims are in order for allowance, and prompt allowance is earnestly requested. Should any issues remain outstanding, the Examiner is invited to call the undersigned attorney of record so that the case may proceed expeditiously to allowance.

Respectfully submitted,



Jay P. Sbrollini  
Reg. No. 36,266  
Attorney for Applicant(s)

GORDON & JACOBSON, P.C.  
60 Long Ridge Road, Suite 407  
Stamford, CT 06902  
Tel: (203) 323-1800  
Fax: (203) 323-1803

December 29, 2006